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**KEATING & BENNETT LLP**

# Fax

**To:** Examiner Stephen E. Jones **From:** Joseph R. Keating

**Fax:** 703-872-9318

**Date:** October 21, 2003

**Phone:** 703-305-0390

**Pages:** 5

**Re:** 09/605,789

**CC:**

**•Comments:**

Examiner Jones,

Please find attached the following documents for U.S. Application No. 09/605,789:

- A Request for Continued Examination (RCE);
- A Credit Card Form in the amount of \$770.00;
- A Petition for 2-month Extension of Time; and
- A Credit Card Form in the amount of \$420.00.

Respectfully submitted,



Joseph R. Keating  
(Reg. No. 37,368)

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PTO/SB/30 (08-00)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant  
application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/605,789
Filing Date	June 27, 2000
First Named Inventor	Yasuhiro TANAKA
Group Art Unit	2817
Examiner Name	S. E. Jones
Attorney Docket Number	36856.863

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the Patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000) which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s) reply under 37 C.F.R. § 1.116 previously filed on September 10, 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other


**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other

**1. Fees** The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1353
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Joseph R. Keating	Registration No. (Attorney/Agent)	37,368
Signature		Date	October 21, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Christine M. Spivey	Date	October 21, 2003
Signature			

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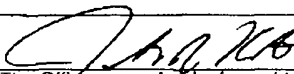
PTO-2038 (02-2000)

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Credit Card Expiration Date: 05/2006			
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<b>Refund Policy:</b> The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.			
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<b>Request and Payment Information</b>			
Description of Request and Payment Information: <b>Request for Continued Examination (RCE) Fee</b>			
Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/605,789	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
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